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23 UNITED STATES DISTRICT COURT
 24 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

25 ORACLE USA, INC., *et al.*,
 26 Plaintiffs,
 v.
 27 SAP AG, *et al.*,
 28 Defendants.

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 TOMORROWNOW, INC.

FILED

JUN 25 2010

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

1 Plaintiffs Oracle USA, Inc., Oracle International Corporation, Oracle EMEA
 2 Limited, and Siebel Systems, Inc. (collectively, "Plaintiffs") and Defendants SAP AG, SAP
 3 America, Inc., and TomorrowNow, Inc. (collectively, "Defendants," and all together with
 4 Plaintiffs, the "Parties"), jointly file this Stipulation and [Proposed] Order Withdrawing
 5 Defendants' Objections to the Declaration of Brady Mickelsen.

6 WHEREAS, on March 3, 2010, Plaintiffs filed a Motion for Partial Summary
 7 Judgment (Dkt. No. 649), including the Declaration of Brady Mickelsen (Dkt. No. 653) in
 8 support thereof.

9 WHEREAS, on March 31, 2010, Defendants filed Objections to Evidence Filed in
 10 Support of Plaintiffs' Motion for Partial Summary Judgment ("Objections") (Dkt. No. 672),
 11 including objections to certain portions of the Declaration of Brady Mickelsen. Objections at pp.
 12 4-5.

13 WHEREAS, the Parties have resolved Defendants' objections to the Declaration
 14 of Brady Mickelsen, and Defendants have agreed to withdraw those objections.

15 ACCORDINGLY, the Parties, through their respective attorneys of record,
 16 stipulate and ask the Court to order as follows:

17 Defendants' objections to the Declaration of Brady Mickelson filed in support of
 18 Plaintiffs' Motion for Partial Summary Judgment, as set forth at pages 4-5 of Defendants'
 19 Objections, are hereby withdrawn and moot.

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21 DATED: June 24, 2010

BINGHAM McCUTCHEN LLP

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By: /s/ Geoffrey M. Howard
 Geoffrey M. Howard
 Attorneys for Plaintiffs
 Oracle USA, Inc., Oracle International
 Corporation, Oracle EMEA Limited, and
 Siebel Systems, Inc.

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1 In accordance with General Order No. 45, Rule X, the above signatory attests that
2 concurrence in the filing of this document has been obtained from the signatory below.

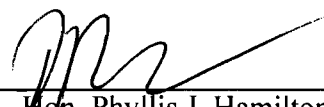
3 DATED: June 24, 2010

JONES DAY

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5 By: /s/ Jason McDonell
Jason McDonell
6 Attorneys for Defendants
SAP AG, SAP America, Inc., and
7 TomorrowNow, Inc.

8 **PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED.**

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10 DATED: _____



11 Hon. Phyllis J. Hamilton
United States District Court Judge
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